

- Pb (i) a collar-shaped, outwardly extending conical portion, and
- ph (ii) an elastic ring integrally connected with said collar-shaped portion having a second diameter larger than said first diameter; wherein said flexible, thin-walled tube is a polymer material, said polymer material being selected from the group consisting of polyethylenes, polyurethanes, and derivatives thereof; and

- Pl (b) a means for retaining located in said closed end of said flexible, thin-walled tube and having a diameter sufficient to maintain said means for retaining in [within] a vagina [juxtaposed to the cervix] of an user.

22. (Three times amended) A tubular protective device for protection against a transfer of infectious matter during sexual intercourse, said protective device consisting of:

- Pl (a) a thin-walled, flexible tube having;
- pr (i) a closed end,
- l (ii) an open end, and
- (iii) a first diameter sufficiently large to permit movement of a penis within said tube during coitus;

P1 (b) an outwardly extending collar-shaped means for radially stretching said open end, said collar-shaped means having a second diameter larger than the first diameter and attached to the open end of the tube;

P2 wherein said flexible, thin-walled tube is a polymer material, said polymer material being selected from the group consisting of polyethylenes, polyurethanes, and derivatives thereof; and

P1 (c) a means for retaining located in said closed end of said flexible, thin-walled tube and having a diameter sufficient to maintain said means for retaining in [within] a vagina [juxtaposed to the cervix] of an user.

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23. ² (Three times amended) The tubular protective device of claim 22 wherein said means for retaining is [connected] affixed to said flexible, thin-walled tube.

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26. ² (Twice amended) A tubular protective device for protection against a transfer of infectious matter during sexual intercourse comprising:

P1 (a) a flexible, thin-walled tube having a sufficiently large first diameter to permit movement of a penis within said tube during coitus, said flexible

thin-walled tube having a closed end, and an open end, said open end having:

p2 (i) a collar-shaped, outwardly extending portion;
and

p2 (ii) a first elastic ring integrally connected with said collar-shaped portion having a second diameter larger than said first diameter;

p1 (b) a means for retaining located in said closed end of said flexible, thin-walled tube and having a diameter sufficient to maintain said means for retaining in [within] a vagina [juxtaposed to the cervix] of an user.

end
REMARKS

Pursuant to 37 C.F.R. 1.116, reconsideration of the Official Action of November 20, 1989, and reexamination of the application are respectfully requested.

Claims 21 through 23 and 26 are pending. Claims 21 through 23 and 26 are amended by this response.

The applicant's attorney wishes to thank the Examiner for conducting the interview of January 3, 1990. During the interview, it was agreed that the applicant would submit claim language reciting the location of the "retaining means" as being in the closed end of the tube and having a diameter sufficient to